

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

The South Carolina State Conference of the)
NAACP, and Taiwan Scott, *on behalf of*)
himself and all other similarly situated)
persons,)

Civil Action No.: 3:21-cv-03302-JMC-TJH-RMG

Plaintiffs,

v.

Thomas C. Alexander, *in his official*)
capacity as President of the Senate)
Judiciary Committee; James H. Lucas, *in*)
his official capacity as Speaker of the)
House of Representatives; Chris Murphy,)
in his official capacity as Chairman of the)
House of Representatives Judiciary)
Committee; Wallace H. Jordan, *in his*)
official capacity as Chairman of the House)
of Representatives Elections Law)
Subcommittee; Howard Knabb, *in his*)
official capacity as interim Executive)
Director of the South Carolina State)
Election Commission; John Wells, *Chair,*)
Joanne Day, Clifford J. Elder, Linda)
McCall, and Scott Moseley, *in their*)
official capacities as members of the South)
Carolina State Election Commission,)

Defendants.

ORDER

The parties have jointly moved for the adoption of a scheduling order regarding the challenge to the congressional reapportionment plan with a commencement date of September 26, 2022 and an end date of October 7, 2022. (Dkt. No. 174). The motion is granted in part and denied in part. The trial will commence on Tuesday, September 27, 2022, to avoid conflict with the Jewish holiday of Rosh Hashanah. The case will continue from day to day until completed. The Panel doubts the parties will require 10 days of trial time because of the limited scope of the

challenge to the congressional reapportionment plan. Should the trial run beyond Tuesday, October 4, 2022, the Panel will recess the trial on October 5, 2022 to avoid a conflict with the Jewish holiday of Yom Kippur.

Based on the foregoing and the parties' joint motion, the scheduling order regarding the trial on the congressional reapportionment plan is as follows:

1. The Rule 26(f) Report is due **February 28, 2022**.
2. Discovery commences as of the filing of this scheduling order.
3. The parties' initial disclosures are due on **March 29, 2022**.
4. Plaintiffs shall file and serve a document identifying by full name, address, and telephone number each person whom Plaintiffs expect to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Federal Rule of Civil Procedure 26(a)(2)(B) has been disclosed to the other parties by **April 4, 2022** (Fed. R. Civ. P. 26(a)(2)).¹ Plaintiffs' rebuttal experts are due on **April 25, 2022**.
5. Defendants shall file and serve a document identifying by full name, address, and telephone number each person whom Defendants expect to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Federal Rule of Civil Procedure 26(a)(2)(B) has been

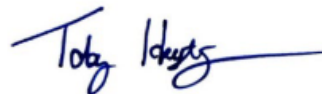
¹ Concurrent with the identification of each expert and subject matter, each party shall serve (but not file): 1) a complete copy of the most recent curriculum vitae of each expert or a detailed summary of his qualifications to testify on each identified subject; 2) (a) a complete statement of all opinions to be expressed by each expert and the basis and reasons therefor; (b) the data and other information considered by the expert in forming the opinions, (c) any exhibits to be used as a summary of or support of the opinions, and (d) citations of any treatise, text, or other authority upon which each expert expressly relied; and 3) a copy of each expert's report if a report has been prepared.

disclosed to the other parties by **April 11, 2022** (Fed. R. Civ. P. 26(a)(2)).

Defendants' rebuttal experts are due on **April 25, 2022**.

6. Discovery shall be completed no later than **August 12, 2022**.
7. All motions other than (a) those relating to the admissibility of evidence at trial and (b) those to compel discovery, shall be filed no later than **August 19, 2022**.
8. No later than **August 26, 2022**, the parties shall file and exchange Fed. R. Civ. P. 26(a)(3) pretrial disclosures. Within seven (7) working days thereafter, a party shall file and exchange Fed. R. Civ. P. 26(a)(3) objections, any objections to use of a deposition designated by another party and any deposition counter-designations under Fed. R. Civ. P. 32(a)(6).
9. Motions in limine are due by **September 2, 2022**. Responses are due by **September 9, 2022**.
10. Pretrial Conference will be held on **September 23, 2022**.
11. This case will be called for bench trial on **September 27, 2022**.
12. Proposed Findings of Fact and Conclusions of law are due **October 21, 2022**.

AND IT IS SO ORDERED.

A handwritten signature in blue ink, appearing to read "Toby Hudgins", with a long horizontal flourish extending to the right.

United States Circuit Judge



United States District Judge



United States District Judge

February 25, 2022
Columbia, South Carolina